

ENTERED

November 07, 2022

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**DARROLD LATRELL ALEXANDER,
a/k/a Alexis D. Alexander,
TDCJ #00738390

Plaintiff,

v.

DR. LANNETTE LINTHICUM, *et al.*,

Defendants.

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CIVIL ACTION NO. H-22-3749

ORDER

Plaintiff Darrold Latrell Alexander, a/k/a Alexis D. Alexander, an inmate in the Texas Department of Criminal Justice (TDCJ), representing herself,¹ has filed a complaint under 42 U.S.C. § 1983 alleging violations of the United States Constitution and federal law. Alexander attempts to bring a class action on behalf of herself and others similarly situated challenging certain TDCJ policies that affect those inmates who have been diagnosed as gender dysphoric. The complaint is 567 pages. (*See* Docket Entry Nos. 1, 9, 10, 11, 12, 13, 14).

Rule 8 of the Federal Rules of Civil Procedure requires a complaint to contain “a short and plain statement of the claim showing that the pleader is entitled to relief[.]” Fed. R. Civ. Pro. 8(a)(2). “[T]he pleading standard Rule 8 announces does not require ‘detailed factual allegations,’ but it demands more than an unadorned, the-defendant-unlawfully-harmed-me accusation.” *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quoting *Bell Atl. Corp., v. Twombly*, 550 U.S. 544, 555 (2007)). “A pleading that offers ‘labels and conclusions’ or a ‘formulaic recitation of the elements of a cause of action will not do.’” *Id.* (quoting *Twombly*, 550 U.S. at 555). “Nor does a

¹ Alexander identifies as a transgender woman and uses female pronouns in her legal filings.

complaint suffice if it tenders ‘naked assertion[s]’ devoid of ‘further factual enhancement.’” *Id.* (quoting *Twombly*, 550 U.S. at 555). Alexander’s 567-page complaint, which appears to allege mainly conclusory allegations devoid of specific facts, does not comply with Rule 8.

Based on the above, the court **ORDERS**:

1. The Clerk is ordered to **strike** Alexander’s complaint docketed at Docket Entry Nos. 1, 9, 10, 11, 12, 13, and 14.

2. The Clerk is **instructed** to send Alexander a prisoner’s civil rights complaint form which has been adopted by the Southern District of Texas for prisoners filing suit under 42 U.S.C. § 1983. If Alexander wishes to continue to pursue this action, she must complete the form complaint, or similar approved form available at the prison law library, and return it to the court within **thirty (30) days** of the date of this order. Alexander is instructed to write the phrase “Amended Complaint” at the top of the first page of the form and to include the Civil Action Number for this case (H-22-3749). Alexander is further instructed to sign and date the amended complaint in accordance with Rule 11. If Alexander needs additional space, she may attach no more than **fifteen** additional double-spaced pages.

3. Alexander is admonished that her amended complaint must comply with the Federal Rules of Civil Procedure by including only one claim (*i.e.*, one set of related facts and circumstances stemming from one incident or issue), unless the other claims alleged are all related to the same incident, issues, or actions of the defendant(s). Any unrelated claims must be filed as separate actions. An amended complaint that does not comply with this order will be automatically stricken from the record without further notice and will be of no force or effect in this lawsuit.

4. Alexander’s “Motion Requesting Court to Take Judicial Notice of Adjudicative Fact(s) and Allow Admission of Demonstrative Evidence,” (Docket Entry No. 7), and “Motion

Requesting Certification of Class,” (Docket Entry No. 8), are **denied as moot** based on the court’s order striking Alexander’s complaint and for Alexander to file an amended complaint.

5. Failure to comply fully as directed within the time allowed may result in dismissal of this case under Rule 41(b) of the Federal Rules of Civil Procedure without further notice.

SIGNED on November 7, 2022, at Houston, Texas.

A handwritten signature in black ink, reading "Lee H. Rosenthal". The signature is fluid and cursive, with a large loop at the end of the last name.

Lee H. Rosenthal
Chief United States District Judge